

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Richard B. Martin, Jr.,

Plaintiff,

v.

Kim Hoa Lam,

Defendants.

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Civil No. 16-10763-LTS

ORDER

April 25, 2016

SOROKIN, J.

Plaintiff files a breach of contract action arising from an alleged verbal agreement. This Court lacks subject matter jurisdiction, as the amount in controversy, i.e. the amount necessary to cure the alleged breach, is less than \$75,000. Nothing in the terms of the contract requires the purchase of a new BMW or a new BMW costing more than \$75,000. For this reason, this matter is DISMISSED for lack of jurisdiction.

In any event, the claim is also DISMISSED for lack of venue. The contract was allegedly formed and breached in Maryland (where the Defendant “made it,” yet failed to purchase the BMW). In these circumstances, venue does not lie in this Court. See 28 U.S.C. § 1391.

SO ORDERED.

/s/ Leo T. Sorokin

Leo T. Sorokin

United States District Judge